

भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड—2

PART II—Section 2

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि वह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

LOK SABHA

The following Bill was introduced in Lok Sabha on the 5th August, 1966:—

BILL No. 49 OF 1966

A bill to provide for the repeal of the Tea Districts Emigrant Labour Act, 1932, and for matters connected therewith.

BE it enacted by Parliament in the Seventeenth Year of the Republic of India as follows:—

1. This Act may be called the Tea Districts Emigrant Labour Shorttitle.
(Repeal) Act, 1966.
- 5 2. The Tea Districts Emigrant Labour Act, 1932, is hereby repeal- Repeal of
ed. Act 22 of
1932.
3. Notwithstanding the repeal of the Tea Districts Emigrant Savings.
Labour Act, 1932, by section 2, and notwithstanding anything to the

contrary contained in the said Act,—

(a) every emigrant labourer in whose case, on the 3rd day of August, 1960, a period of three years from the date of his entry into Assam had not expired,

(b) every emigrant labourer entering Assam on or after the 3rd day of August, 1960, being the date of the Agreement arrived at at the Ninth Session of the Industrial Committee on Plantations, and before the commencement of this Act, and

(c) every emigrant labourer who is in Assam immediately before the commencement of this Act and whose right of repatriation has not been waived or forfeited by agreement or otherwise under any provisions of the said Act,

shall, as from the date of expiry of a period of three years from the date of his entry into Assam, whether such expiry occurs before or after the commencement of this Act, have the right to be repatriated, and may be repatriated, under the said Act, as if it had not been repealed and the provisions of the said Act in so far as they relate to the enforcement of the right of repatriation of emigrant labourers shall continue to apply as if for the references therein to the Controller, references to the State Government of Assam or an officer authorised by that Government in this behalf had been substituted:

Provided that no such emigrant labourer shall have the right to be so repatriated unless he makes an application in this behalf—

(a) within a period of six months from the commencement of this Act, where the aforesaid period of three years has expired before such commencement, or

(b) within a period of six months after such commencement, where the aforesaid period of three years expires after such commencement.

STATEMENT OF OBJECTS AND REASONS

The Tea Districts Emigrant Labour Act, 1932 regulates recruitment of workers for tea gardens in Assam from outside the State and their repatriation. Experience gained in the working of the Act for the past few years has shown that it is no longer necessary to continue in existence the pattern of assisted emigrant labour, for tea gardens in Assam, as conditions which justified the introduction of the scheme about thirty years ago, have greatly altered during the intervening period. It is, therefore, proposed to repeal this Act. Any residual functions after the repeal of the Act that may be left over are proposed to be entrusted to the Government of Assam by making an express provision to that effect in the repealing Act.

NEW DELHI;

JAGJIVAN RAM.

The 5th May, 1966.

PRESIDENT'S RECOMMENDATION UNDER ARTICLE 117 OF
THE CONSTITUTION OF INDIA

[Copy of letter No. 6/15/65-PL, dated the 21st July, 1966 from Shri Jagjivan Ram, Minister of Labour, Employment and Rehabilitation to the Secretary Lok Sabha].

The President having been informed of the subject matter of the Bill to provide for the repeal of the Tea Districts Emigrant Labour Act, 1932, and for matters connected therewith, recommends the introduction of the Bill in the Lok Sabha under article 117(1) of the Constitution of India.

FINANCIAL MEMORANDUM

The repeal of the Tea Districts Emigrant Labour Act, 1932, will entail abolition of a cess known as Emigrant Labour Cess leviable under section 5 of that Act. The cess is payable in respect of the entry into Assam of each assisted emigrant as defined in section 2(f) of that Act by the employing interest on whose behalf he is recruited. The proceeds of the cess are credited to a fund called the Emigrant Labour Fund which is utilised for meeting expenditure on the Organisation of Controller of Emigrant Labour and for administering the Act. With the repeal of the Tea Districts Emigrant Labour Act, the Organisation of the Controller of Emigrant Labour will be wound up and so there will be no need for the levy of the Emigrant Labour Cess. After the repeal of the Act, any residual functions that may be left over will be entrusted to the Government of Assam but this will not entail any expenditure from the Consolidated Fund of India.

S. L. SHAKDHER,
Secretary.